

REMARKS

Applicants would like to thank the Examiner for discussing the present case with Applicants' representative. As discussed, Applicants are submitting the enclosed photocopies in support of the attached revised Declaration under 37 CFR 1.131.

DOUBLE PATENTING REJECTION:

Enclosed within the present Response is a timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) to overcome the provisional obvious-type double patenting rejection. Copending Application No. 11/005,083 is commonly owned with the present application.

REJECTIONS UNDER 35 U.S.C. § 102(e):

Claim 1 was rejected under 35 U.S.C. § 102(e) as being anticipated by Soane et al. (U.S. Patent No. 6,607,994). In response, Applicants enclose the above-referenced declaration to remove the cited reference from consideration as prior art. As previously discussed, Applicants have revised the declaration to include exhibits and records which now form part of the affidavit. Since Soane et al. is the only cited reference, Applicants contend that the present application is now in a condition for allowance.

CONCLUSION

Applicants respectfully contend that claim 1 is allowable and an early notice of such effect is earnestly solicited. Should the Examiner have any questions or comments regarding the foregoing Response, she is invited and urged to telephone the undersigned attorney.

Respectfully Submitted,



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